

ORDERED.

Dated: May 26, 2017



Catherine Peek McEwen  
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**In re:**

**ANDREW T. AVERILL and  
MICHELE M. CAPUANA-AVERILL,**

**Debtors.**

\_\_\_\_\_ /

**BANKRUPTCY  
CASE NO.: 8:15-bk-01575-CPM**

**CHAPTER 7**

**STEPHEN L. MEININGER, as Chapter 7  
Trustee of the estate of ANDREW T.  
AVERILL and MICHELE M. CAPUANA-  
AVERILL,**

**Plaintiff,**

**v.**

**ADVERSARY  
PROCEEDING NO.: 8:16-ap-00291-CPM**

**CAPITAL ACCOUNTS, LLC, a Tennessee  
limited liability company,  
and  
BEVERLY H. BRIMACOMB, P.A., a Florida  
professional association, d/b/a HIGHLAND  
PET HOSPITAL,**

**Defendants.**

\_\_\_\_\_ /

**FINAL ORDER OF DISMISSAL WITH  
PREJUDICE AS TO CAPITAL ACCOUNTS, LLC, ONLY**

**THIS PROCEEDING** came on for consideration on the Court's own motion for entry of

an appropriate order in consideration of the Order Granting Motion to Approve Compromise (Doc. 62), which compromise, as described in the Motion to Approve Compromise (Doc. 60), includes an agreement to dismiss this adversary proceeding with prejudice. Based on such agreement, the Court finds that it is appropriate to dismiss this case

ORDERED, ADJUDGED AND DECREED:

1. An agreement for a stipulated dismissal has been reached between the Parties in the above-styled case.
2. The claims of Plaintiff are being dismissed with prejudice, as to Defendant Capital Accounts, LLC, a Tennessee limited liability company, only.
3. The Parties each shall bear their own attorneys' fees and costs as to this adversary proceeding, except to the extent that Plaintiff's fees are paid from the settlement proceeds.

Thomas A. Lash, Esq., Lash Wilcox & Grace PL, is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of entry of the order.